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SERVICE DATE – JULY 20, 2006

DO

FR-4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 30868 (Sub-No. 1)]

Union Pacific Railroad Company—Amendment of Trackage Rights Exemption—BNSF
Railway Company

BNSF Railway Company (BNSF) has agreed to modify an existing overhead trackage rights agreement, under which Union Pacific Railroad Company (UP) would be permitted to operate over BNSF trackage between mileposts 59.06 and 0.65 and between mileposts 59.06 and 60.15, a distance of approximately 1.74 miles, in Lincoln, NE.

UP indicates that the transaction was to be consummated on July 7, 2006, the effective date of the exemption (7 days after the exemption was filed).

The purpose of the amended trackage rights agreement is to exclude from the agreement the portion of track from milepost 59.06 and milepost 60.15, a distance of approximately 1.09 miles. UP states that it has never used or consummated its right to operate over this track. Thus, pursuant to the amended trackage rights agreement, UP will operate between mileposts 0.65 and 59.06, a distance of approximately .65 miles.

As a condition to this exemption, any employees affected by the amended trackage rights will be protected by the conditions imposed in Norfolk and Western Ry. Co.—Trackage Rights—BN, 354 I.C.C. 605 (1978), as modified in Mendocino Coast Ry., Inc.—Lease and Operate, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 30868 (Sub-No. 1), must be filed with the Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Gabriel S. Meyer, 1400 Douglas Street, STOP 1580, Omaha, NE 68179.

Board decisions and notices are available on our website at
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Decided: July 12, 2006.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams

Secretary